

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

D.B., *et al.*,

Plaintiffs,

-VS-

MONTGOMERY COUNTY SCHOOL DISTRICT,

Defendant.

Case No. 2:07-cv-783-MHT

JOINT MOTION TO CONTINUE PLAINTIFF'S
MOTION FOR TEMPORARY RESTRAINING ORDER

COME NOW the parties D.B., by and through her Guardian, Katrina Warr and Katrina Warr, Individually, and the Montgomery County Board of Education, improperly designated as the Montgomery County School District, by and through their respective counsel, and jointly move this Honorable Court to continue Plaintiffs' Motion for Temporary Restraining Order. In the alternative, the parties respectfully request the Court deny Plaintiffs' Motion for Temporary Restraining Order without prejudice. As grounds, the parties state the following:

1. Plaintiffs filed their Motion for Temporary Restraining Order or in the Alternative, Application for Preliminary Injunction on August 30, 2007.
2. On September 4, 2007, the Honorable Susan Russ Walker conducted a mediation with the parties.
3. The parties are attempting to resolve this matter without the necessity of a hearing on Plaintiffs' Motion for Temporary Restraining Order.

WHEREFORE, These Premises, Considered, the parties respectfully request this Honorable Court continue Plaintiffs' Motion for Temporary Restraining Order or, in the alternative, deny said Motion without prejudice. The parties further respectfully request that the Plaintiffs' Verified Complaint remain pending.

The undersigned attests that Deborah A. Mattison has agreed to the foregoing and has authorized me to execute this document and electronically file same on her behalf.

RESPECTFULLY SUBMITTED this the 10th day of September, 2007.

D.B., *et al.*, Plaintiffs,

MONTGOMERY COUNTY BOARD
OF EDUCATION, Defendant,

By: /S/ Deborah A. Mattison

Deborah A. Mattison (3959-N-59D)
WIGGINS, CHILDS, QUINN
& PANTAZIS, LLC
The Kress Building
301 19th Street, North
Birmingham, Alabama 35203
(205) 314-0500
(205) 254-1500 - fax
E-mail: achannell@wcqp.com
Counsel for Plaintiffs

By: /S/ Erika Perrone Tatum

James R. Seale (3617-E-68J)
Erika Perrone Tatum (1983-M-66E)
HILL, HILL, CARTER,
FRANCO, COLE & BLACK, P.C.
Post Office Box 116
Montgomery, Alabama 36101-0116
(334) 834-7600
(334) 263-5969 - fax
E-mail: jrs@hillhillcarter.com
E-mail: etatum@hillhillcarter.com
Counsel for Defendant

www/6630.0181/g:Joint Motion to Continue.wpd